

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated March 23, 2003 has been received and its contents carefully reviewed.

By this Response, claims 1, 3, 4 and 16 have been amended, and claim 2 has been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 1 and 3-17 are pending in the application with claims 9-15 and 17 being withdrawn from consideration. Reconsideration and withdrawal of the rejections in view of the above amendments and the following remarks are respectfully requested.

In the Office Action, claims 1, 8 and 16 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,977,562, issued to Hirakata et al. (hereafter "Hirakata"). Applicant respectfully traverses the rejection because Hirakata fails to teach or suggest each and every feature recited in the claims of the present application. In particular, Hirakata fails to teach an in-plane switching mode liquid crystal display device that includes, among other features, "a first capacitor electrode connected to the thin film transistor; a second capacitor electrode overlapping the common electrode; and a pixel connecting line combining the first and second capacitor electrodes", as recited in independent claim 1 of the present application.

Hirakata further fails to teach a method of fabricating an in-plane switching mode liquid crystal display device that includes, among other features, "forming a first capacitor electrode connected to the thin film transistor, a second capacitor electrode overlapping the common electrode and a pixel connecting line combining the first and second capacitor electrodes", as recited in independent claim 16 of the present application.

Because Hirakata fails to teach or suggest at least the above features of independent claims 1 and 16, Hirakata does not anticipate independent claim 1 and its dependent claim 8, and independent claim 16. Reconsideration and withdrawal of the rejection are respectfully requested.

In the Office Action, claims 1-8 and 16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11 and 15-17 of co-pending U.S. Patent Application No. 2005/0128409, issued to Lee (hereafter "Lee"). Because the provisional double patenting rejection would be the only rejection remaining in the present application, Applicant respectfully requests the Examiner to withdraw the rejection in accordance with MPEP § 804(I)(B).

Applicants believe the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: June 20, 2006

Respectfully submitted,

By Valerie P. Hayes
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